

**REMARKS**

Reconsideration of the objection to the drawings and the rejection of Claims 10-18, 22 and 23 under 35 U.S.C. §112, second paragraph, is respectfully requested in view of the foregoing amendments to the claims.

Applicants have now employed claim language in Claims 10 and 19 which is generic to the pivotable lever arm 32 clearly shown in Figs. 2 and 3 and the slidable guide leg 132 clearly shown in Figs. 4 and 5. Those features are also fully disclosed in the Specification.

The rejection of Claims 10-14 and 18-23 as being anticipated by Donner under 35 U.S.C. §102(b) and of Claims 15-17 as being unpatentable over Donner in view of Nolan under 35 U.S.C. §103(a) are respectfully traversed. Again, reconsideration is requested in view of the foregoing amendments and following comments.

Although Donner shows several different embodiments of an electronic key that has a movable retaining element with an eyelet that is completely hidden inside the housing when the mechanical lock key bit is inserted, it does not teach the use of a surface of the key bit which cooperates with a member associated with the eyelet so as to move the member and eyelet inside the housing upon insert of the key bit. Donner shows one embodiment in which the loop 4' has a projecting arm 5, another embodiment in Fig. 3, having a projecting catch element 6, and other embodiments using stopping arm 7. None of these

embodiments teach or suggest an arrangement in which the suspension eyelet is supported against a lateral narrow side of the key as in Figs. 3 and 3 or with an upper narrow side against an edge which projects laterally from the opposite narrow side of the flat key. And the mechanism for moving the eyelet from a stored position to the use position and back can thus be contained totally within the key housing.

Thus, the Donner electronic key does not anticipate the claimed invention herein. Nor does it render that invention obvious even assuming, for argument's sake, that the teachings of Nolan would have been combinable without exercising impermissible hindsight. The Office Action correctly notes that the Donner key does not use a biasing means. But it does not lay out how and where the Nolan spring 27 which is used to lock the key retainer 19 in the housing 7 is to be employed, not with the mechanical key of Donner but, with the eyelet. No eyelet is present in the Nolan retainer that is intended to be concealed. Absent hindsight, one of ordinary skill would not have considered Nolan's coil spring useful for the purposes of moving a concealed eyelet into its use position, particularly as the bias of the Nolan spring was operative to keep the retainer 19 in the non-use position.

Given the amendments to the claims, the Office Action does not set forth a *prima facie* case of either anticipation or obviousness. Accordingly, early and favorable action is now earnestly solicited.

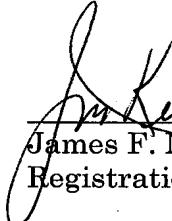
Serial No. 10/582,477  
Amendment Dated: October 14, 2008  
Reply to Office Action Mailed: June 27, 2008  
Attorney Docket No. 095309.57860US

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.57860US).

Respectfully submitted,

October 14, 2008

  
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